

## LABOR SERVICES DIVISION[875]

### Notice of Intended Action

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code section 89A.3, the Elevator Safety Board hereby gives Notice of Intended Action to amend Chapter 71, “Administration of the Conveyance Safety Program,” Chapter 72, “Conveyances Installed On or After January 1, 1975,” and Chapter 73, “Conveyances Installed Prior to January 1, 1975,” Iowa Administrative Code.

The proposed amendments adopt by reference the most recent National Electrical Code, NFPA 70 (2011), and significant portions of the 2013 American Society of Mechanical Engineers (ASME) A17.1, Safety Code for Elevators and Escalators. The 2013 edition of ASME A17.1 contains provisions specific to wind turbine tower elevators for the first time; sets forth enhanced safety provisions to protect mechanics and inspectors working around limited-use, limited application elevators; and requires that emergency recall connecting relays be placed outside an elevator machine room.

Iowa adopted previous editions of ASME A17.1 that required a full-load safety test at least once every five years and prohibited automatic reset of safety devices on escalators and moving walks. The 2013 edition of ASME A17.1 changes these provisions. To promote public safety, the Elevator Safety Board proposes to differ from ASME A17.1 (2013) as it relates to these two provisions.

Iowa has not enforced the ASME A17.1 (2010) code requirements concerning daily telephone testing and witnessing of safety tests on periodic inspections. The proposed amendments continue to differ from ASME A17.1 concerning periodic inspections, but propose to adopt the daily telephone testing requirement.

The purposes of these amendments are to protect the health and safety of the public, facilitate the installation of new technologies in Iowa, and implement legislative intent.

If requested in accordance with Iowa Code section 17A.4(1)“b” by the close of business on August 12, 2014, a public hearing will be held on August 13, 2014, at 1:30 p.m. in the Capitol View Room at 1000 East Grand Avenue, Des Moines, Iowa. Interested persons will be given the opportunity to make oral statements and file documents concerning the proposed amendments. The facility for the oral presentations is accessible to and functional for persons with physical disabilities. Persons who have special requirements should call (515)281-5915 in advance to arrange access or other needed services.

Written data, views, or arguments to be considered in adoption shall be submitted by interested persons no later than August 13, 2014, to Division of Labor Services, 1000 East Grand Avenue, Des Moines, Iowa 50319-0209. Comments may be sent electronically to [kathleen.uehling@iwd.iowa.gov](mailto:kathleen.uehling@iwd.iowa.gov).

No variance procedures are included in this rule making. Applicable variance procedures are set forth in 875—Chapter 66.

After analysis and review of this rule making, no impact on jobs will occur.

These amendments are intended to implement Iowa Code chapter 89A.

The following amendments are proposed.

ITEM 1. Amend rule 875—71.14(89A), introductory paragraph, as follows:

**875—71.14(89A) Safety tests.** Only safety test reports submitted on approved forms from elevator mechanics who are employed by authorized companies shall be considered to meet the requirements of this rule. The alternative test methods set forth at ASME A17.1, Rule 8.6.11.10, shall not be allowed as a substitute for a full-load safety test.

ITEM 2. Rescind subparagraph **71.14(1)“b”(3)** and adopt the following new subparagraph in lieu thereof:

(3) Part 8, excluding Rule 8.11.1.1, of the edition of ASME A17.1 currently adopted for new conveyances at rule 875—72.1(89A).

ITEM 3. Amend paragraph **72.1(8)“b”** as follows:

b. ASME A17.7 shall mean ASME A17.7-2007/CSA B44-40 07;

ITEM 4. Amend subrule 72.1(9), introductory paragraph, as follows:

**72.1(9)** For installations ~~on or after~~ between January 31, 2014, and November 1, 2014:

ITEM 5. Amend paragraph **72.1(9)“b”** as follows:

b. ASME A17.7 shall mean ASME A17.7-2007/CSA B44-40 07;

ITEM 6. Adopt the following new subrule 72.1(10):

**72.1(10)** For installations on or after November 1, 2014:

a. ASME A17.1 shall mean ASME A17.1-2013/CSA B44-13;

b. ASME A17.7 shall mean ASME A17.7-2007/CSA B44-07;

c. ASME A18.1 shall mean ASME A18.1 (2003), except Chapters 4, 5, 6, and 7;

d. ANSI A117.1 shall mean ANSI A117.1 (2003), except for Rule 407.4.6.2.2; and

e. ANSI/NFPA 70 shall mean ANSI/NFPA 70 (2011).

ITEM 7. Amend rule 875—72.9(89A) as follows:

**875—72.9(89A) Escalators and moving walks.** The provisions contained in ASME A17.1, part 6, are adopted by reference, except for those portions that allow an operating or safety device to reset automatically.

ITEM 8. Amend subrule 72.13(1) as follows:

**72.13(1) General.** ~~All~~ Except as set forth in this rule, all maintenance, repairs, replacements, and alterations shall comply with the edition of ASME A17.1-2007/CSA B44-07 currently adopted for new conveyances at rule 875—72.1(89A) or ASME A17.7-2007/CSA B44-07, as applicable, ~~except as noted in 875—subrules 73.8(3) and 73.8(4).~~ Rule 875—71.10(89A) describes alterations which require that the entire conveyance be brought into compliance with the most current codes.

ITEM 9. Amend subrule 72.13(3), introductory paragraph, as follows:

**72.13(3) Sump pump exemption.** The provisions of ASME A17.1-2007/CSA B44-07 and ASME A17.1S-2005, Rule 2.2.2, that require a pit sump or drain shall not apply to an elevator alteration when all of the following criteria are met:

ITEM 10. Amend subrule 72.13(4), introductory paragraph, as follows:

**72.13(4) Pit excavation exemption.** The full length of the platform guard set forth in ASME A17.1-2007/CSA B44-07 and ASME A17.1S-2005, Rule 2.15.9.2(a), shall not be required if all of the following criteria are met:

ITEM 11. Amend subrule 73.8(1) as follows:

**73.8(1) General.** ~~All~~ Except as set forth in this rule, all maintenance, repairs and alterations shall comply with the edition of ASME A17.1-2007/CSA B44-07 currently adopted for new conveyances at rule 875—72.1(89A) or ASME A17.7-2007/CSA B44-07, as applicable, ~~except as noted in subrules 73.8(3) and 73.8(4).~~ Rule 875—71.10(89A) describes alterations which require that the entire conveyance be brought into compliance with the most current code.

ITEM 12. Amend subrule 73.8(3), introductory paragraph, as follows:

**73.8(3) Sump pump exemption.** The provisions of ASME A17.1-2007/CSA B44-07 and ASME A17.1S-2005, Rule 2.2.2, that require a pit sump or drain shall not apply to an elevator alteration when all of the following criteria are met:

ITEM 13. Amend subrule 73.8(4), introductory paragraph, as follows:

**73.8(4)** *Pit excavation exemption.* The full length of the platform guard set forth in ASME A17.1-2007/CSA B44-07 and ASME A17.1S-2005, Rule 2.15.9.2(a), shall not be required if all of the following criteria are met:

ITEM 14. Rescind subrule 73.8(6) and adopt the following **new** subrule in lieu thereof:

**73.8(6)** *Safety bulkheads.* Documentation from the manufacturer establishing that a safety bulkhead was installed shall establish compliance with ASME A17.1, Rule 8.6.5.8.